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STATE FOR ISN/CB, VCI/CCB, L/ACV, IO/S
SECDEF FOR OSD/ISP
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (GOLDMAN)
NSC FOR LEDDY
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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): ACHIEVING U.S.
GOALS (AND AVOIDING IRAN)

This is CWC-45-07.

11. (SBU) SUMMARY: It has become increasingly apparent that most formal consultations at the OPCW are of marginal value in meeting U.S. goals and objectives, and there are much more productive ways of achieving progress. On certain subjects (budget, Article VII), they are obviously unavoidable. However, consultations are usually of more value to Iran in attempting to stymie work at the OPCW. There is a need to deal with the overarching issue of countering Iranian efforts to block progress, particularly at Executive Council sessions. However, it appears the best way to achieve progress on what Washington wants is not to hold fruitless consultations, but to find alternative ways to get work done, such as through work with the Technical Secretariat, or prompting efforts by other States Parties. End Summary.

12. (U) Late Declarations: Two events this year have affected the perceptions of the delegation (and most other dels) on how to proceed with work at the OPCW. The first was Iran's performance at the March EC which led to a conclusion of the session at 23:00 on Friday evening, with all the blame squarely on Iran's shoulders. The second incident was the latest consultations on late declarations, where Iran (admittedly supported by South Africa) set work back to square one by asking for papers and clarifications from the TS. Unfortunately, it is necessary to have some type of EC

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blessing on this particular issue, so it will be important to find some way of regaining ground in the consultation. However, there is a considerable risk that Iran will block any work in formal consultations.

13. (U) Article VII: Work on this topic provides a good example of how to get what Washington wants by focusing on the work of the TS, not consultations. After continuously repeating the mantra that the TS needs to do substantially more technical assistance visits to promote full national implementation, the Del believes that message has sunk in. It is apparent that under the direction of Legal Advisor Onate, there has been a considerable increase in the quantity and quality of TS performance. They are scheduling more targeted visits, and have reduced substantially the number of

workshops and conferences. The TS provided a lengthy report on its activities at the May 22 consultation (which will be sent back to Washington once it has been distributed by the TS).

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¶4. (U) Indeed, the concern in the Delegation was that holding the consultation would give Iran the opportunity to raise questions about TS activities and throw a spanner in the works. Fortunately, that did not happen. But it is a clear indication that consultations now generate more concern about how they might blow up, rather than how they can generate progress. There has been significant progress achieved on Article VII. To the extent that can be attributed to the TS, it is due to the pressure exerted by the U.S. and other delegations in individual discussions with the DG, Onate and TS staff. It clearly is not the result of the consultation mechanism.

¶5. (U) The Delegation recognizes there will need to be consultations at various points to address key issues (report language, particularly on continued TS efforts). However, there is every expectation that Iran will be difficult and uncooperative, and that the final agreement will come down to discussions with Iran at the EC or CSP. If that prediction is correct, then there is no benefit in having numerous consultations before the EC/CSP, and only the detriment that Iran could use the discussion to disrupt TS work.

¶6. (U) Challenge Inspections: Once again, substantial progress has been made in improving the ability of the TS to conduct a challenge inspection, and this has nothing to do with the frequency of consultations. The TS held a successful table-top exercise a few weeks ago, and Germany hosted a CI exercise last year, the results of which it shared with delegations in an informal briefing later in the year. The Netherlands will host an exercise in September,

and is extending an invitation to all EC members to observe. The current discussion is on how to utilize the event so that the EC can exercise its role in the CI process.

¶7. (U) All of this is achieving the U.S. goal in this area: improving TS capabilities to conduct a CI. There is no facilitator for the CI issue, and no one could care less. Should a facilitator be found, it would simply lead to a repeat of the fruitless consultations in which Iran and like-minded delegations seek to resolve "unresolved issues" and question the TS mandate to maintain any capability to conduct a CI, while the U.S. and like-minded delegations object and ask the TS to focus on capabilities. Delegations and TS staff alike agree that more harm than good tended to result from this particular facilitation. While the performance of the last facilitator always made this an entertaining consultation, it certainly did not produce a productive result, and there is no reason that his successor will be able to produce one either. Instead, the immediate task is to ensure that the Netherlands exercise in September is utilized to maximum benefit. That will mean overcoming objections from Iran, Russia and other delegations. That certainly will not be achieved in a consultation.

¶8. (SBU) OCPF Site Selection: This may well be the prime example of the need to find methods other than consultations to resolve an issue. After three years of fruitless consultations in which it was increasingly apparent that diplomats are hopeless at mathematics, the U.S. asked the Director General to have the TS take unilateral action to improve an important part of the OCPF site selection mechanism. Admittedly, this does not totally resolve the issue or meet all of Washington's objectives. However, it is 1) a significant improvement in the current mechanism, 2) supported by almost all delegations, and 3) actually achievable.

¶9. (SBU) The TS publication of its paper on site selection highlights the readiness of the DG and the TS in general to

work with the U.S. to find solutions and move things forward.

Admittedly, there were process problems and the TS forgot its pledge to consult with the delegation and Washington before publishing the paper. And certainly the TS will not always be in sync with U.S. views on how to move forward. That, however, does not diminish the fact that the TS

generally is supportive of efforts to move ahead on practical ways to make progress.

¶10. (U) Article X: To reiterate, the delegation is not arguing that all consultations are fruitless. As in most other cases, the question is the objective to be achieved and the role consultations can play in reaching that objective. The new facilitator (Jitka Brodska, Czech Republic) informed del rep that the reason she took on the facilitation was due to the frustration with TS performance. In discussing her plans for her upcoming consultation, Brodska flatly said that her goal is to use the consultation mechanism to spark greater activity by the TS. Whether that will require continued consultations remains to be seen, and ultimately, will depend on how the TS responds. (Note: Brodska said she wanted to have discussions with the delegation on how best to avoid Iranian complications at her facilitation.)

¶11. (U) Risk Assessment: As another example of useful discussions, the TS is finalizing its paper on risk assessment for consideration by the DG, and CSP Chair Ambassador Dastis (Spain) is ready to hold the third discussion on the topic once the paper is distributed. The risk assessment issue provides a good example of when an item on the OPCW calendar is truly useful: several key delegations (China, Mexico, etc.) had expressed great concern on this matter last year, and it is essential that there be a thorough discussion of this topic before engaging on the 2008 budget consultations. However, the effectiveness of the efforts by the DG and Dastis has nothing to do with frequency of meetings. Instead, the key is to give the TS sufficient time to come up with solid answers and analysis for delegations.

¶12. (SBU) Comment: The point which is being emphasized is that the OPCW calendar of events is not/not the best gauge of whether U.S. goals and objectives are being met at the OPCW. The test should simply be whether the desired outcomes are being achieved. In many cases, that can be accomplished by working with the TS and spurring them to action. In other cases, it can be by working with other delegations to encourage them to take the initiative. Consultations are sometimes unavoidable and may or may not be helpful for the U.S. However, in view of the obstructionist Iranian behavior at the OPCW, the calculus on consultations is simple: do they provide more opportunities to assist the U.S., or provide more opportunities for Iran?

¶13. (U) Javits sends.
ARNALL